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§4–125.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Certified county–based business participation” has the meaning stated in § 10A–101 of the Code of Public Local Laws of Prince George’s County.

(3) “Certified county–based minority business participation” has the meaning stated in § 10A–101 of the Code of Public Local Laws of Prince George’s County.

(4) “Chief Executive Officer” means the superintendent of the Prince George’s County public school system as defined in § 4–102(a)(3) of this subtitle.

(5) “County–based business” has the meaning stated in § 10A–101 of the Code of Public Local Laws of Prince George’s County.

(6) “County–based minority business enterprise” has the meaning stated in § 10A–101 of the Code of Public Local Laws of Prince George’s County.

(7) “County–based small business” has the meaning stated in § 10A–101 of the Code of Public Local Laws of Prince George’s County.

(8) “County board” means the Prince George’s County Board of Education.

(9) (i) “Procurement” means the process of buying, leasing, lease–purchasing, or otherwise obtaining supplies, services, or construction.

(ii) “Procurement” includes all functions that relate to the process of obtaining supplies, services, or construction, including:

1. Description of requirements;
2. Selection and solicitation of sources; and
3. Preparation, award, and execution of a contract.

(10) “Program” means the Certified County–Based Business Participation Program that may be established under this section.

(b) This section applies only in Prince George's County.

(c) The county board, after consultation with the Chief Executive Officer, may establish and implement a Certified County-Based Business Participation Program to be used in county board procurement.

(d) If the county board exercises the authority granted in subsection (c) of this section, the county board and the Chief Executive Officer shall:

(1) Consult with the Prince George's County Council, or its agencies or agents, on the establishment and implementation of the Program; and

(2) Establish goals and requirements for the Program that may include:

(i) Minimum percentages for certified county-based business participation;

(ii) Utilization of county-based small businesses;

(iii) Minimum goals and incentives for maximizing certified county-based minority business participation; and

(iv) The goals established under § 4-125(d) of this subtitle.

(e) To achieve the designated goals of the Program, the county board and the Chief Executive Officer may use incentives and bonuses, including:

(1) Mandatory set-aside procedures;

(2) Mandatory subcontracting procedures with reasonable waiver provisions;

(3) The application of bonus points;

(4) The application of percentage points;

(5) Restrictive bidding;

(6) Restrictive price quotations;

(7) The reduction or waiver of bonding requirements; and

(8) Incentives to encourage maximum participation by:

(i) Certified county-based small businesses; and

(ii) A variety of different certified county-based businesses.

(f) If the county board exercises the authority granted in subsection (c) of this section, the county board and the county council shall enter into a binding memorandum of understanding outlining the county board's goals and commitment to implementing the Program.

(g) On or before December 1, 2015, and each year thereafter, the county board, after consultation with the Chief Executive Officer, shall submit a report to the Prince George's County delegations to the House of Delegates and Senate of Maryland, the Prince George's County Council, and the Prince George's County Executive, in accordance with § 2-1257 of the State Government Article, that specifies:

(1) The respective percentages and dollar amounts of certified county-based business participation, certified county-based minority business participation, and certified county-based small business participation in county board procurement for the previous fiscal year; and

(2) The efforts by the county board and the Chief Executive Officer in the previous fiscal year to encourage greater certified county-based business participation, certified county-based minority business participation, and certified county-based small business participation in county board procurement.

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